

## MEMORANDUM

**DATE:** March 6, 2006

**FROM:** Robert E. Croonenberghs, PhD, Director  
Division of Shellfish Sanitation



**TO:** Division of Shellfish Sanitation staff

**SUBJECT:** Plants - Policy – Shipments to Non-European Union Countries

**Replaces Working Memo #313**

### **Purpose**

The purpose of this working memo is to develop a policy whereby companies that want to ship shellfish products to countries not in Europe can obtain either a “statement of certification” or a “certificate of free trade” from the Division.

### **Introduction**

Many foreign countries require a statement of certification (also called a statement of origin or export certificate) from the governmental body responsible for regulating the food product being shipped. This statement generally indicates that the company doing the exporting has been inspected by a responsible governmental agency and has been found to be in substantial compliance with the public health requirements of the inspectional unit. The US Food and Drug Administration issues these statements to shellfish dealers shipping product to European, but not to Asian, countries. US states on the West Coast regularly issue these statements as a service to the shellfish shippers that export product to Asian countries. These countries require an original signed document for each shipment. Since the Division has been approached by a dealer for statements of certification to ship product to Asian countries, this working memo establishes the protocol for issuing these statements under Procedure I.

Recently a new and less demanding approach to satisfying Asian countries for documentation has been to issue a one-time certificate of free trade. This working memo also establishes the protocol for issuing these certificates under Procedure II.

### **Procedure I: Statement of Certification**

#### *Application for Statement of Certifications*

A fully completed Application for Statement of Certification form is required before any statement of certification will be issued. The application form may be faxed or mailed to the

Division by the Virginia certified dealer. **Applications cannot be accepted over the phone,** they must be filled out by the dealer and mailed, faxed or delivered to the Division.

- Only VDH certified shellfish dealers can apply for these statements.
- Applications must be received at least two business days prior to the requested date of pickup by the dealer.
- No statement of certification will be issued for European countries (FDA's responsibility).

### *Issuing Statements of Certification*

A statement of certification *may* be issued up to one month in advance of the harvest date.

Persons issuing the statement are responsible for verifying that the following conditions are met:

- Statements of certification will only be issued for harvest locations that are open for harvest on the date of issuance. *If a harvest area is open when the statement is issued, but closes on or before the proposed harvest date, that statement cannot be used and a new one must be obtained by the requesting company.* Changes to the original statement of certification, with the exception of the following, will invalidate the document:
  - day, but not month, of harvest
  - total number of containers
  - total marked weight
  - count lot weight
- Statements of certification will only be issued to actively certified Virginia dealers.
- Statements of certification will not be issued to dealers that are not in substantial compliance with §§28.2-800 through §28.2-811 of the *Code of Virginia* and/or the requirements of the National Shellfish Sanitation Program.
- A field director or shellfish specialist shall normally sign the statement of certification.
- The statement of certification will be only given or mailed to the authorized agent of the certified dealer.
- Companies that are issued statements of certification are required to do the following:
  - a) An authorized agent of the company must indicate the day of the month when the product was harvested, and must sign the certification on or after the date of harvest.
  - b) Any certifications not used must be marked "Void – did not ship" and returned to the field office that issued the statement within five business days after the expiring month.

*Companies that are over two weeks in arrears with this requirement will not be issued any new statements of certification until this requirement is met.*
- All statements of certification must be accounted for.
- Tracking numbers will be sequentially kept by the office responsible for inspecting the facility and issuing the statements. Each office will begin each statement with the letter designation as follows: Accomac (A); Norfolk (N), Richmond (R); White Stone (W)

**STATEMENT OF CERTIFICATION**

EXPORTED BY:	CERT. #	CONSIGNEE TO:	FINAL DESTINATION
SHIPPED VIA:	PORT OF EMBARKATION		PORT OF DEBARKATION
IDENTIFYING MARKS	TOTAL CONTAINERS		TOTAL MARKED WEIGHT

PRODUCT	CLASS, TYPE, STYLE	COUNT LOT WEIGHT	LABELS/BRAND

The above named exporter hereby certifies through its undersigned authorized agent that this product was harvested from the following growing area(s) which was/were open for commercial harvest on the date(s) indicated and that the product has not been treated with chemical preservatives or other additives injurious to health.

PRODUCT	GROWING AREA	DATE OF HARVEST

SIGNATURE OF AUTHORIZED AGENT: \_\_\_\_\_ DATE \_\_\_\_\_  
(Must be signed by authorized agent **on** or **after** date of harvest)

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*The Facility named herein has been inspected by the Virginia Department of Health and found to be in compliance with the laws of the State of Virginia and with guidelines established by the US Food and Drug Administration to assure that shellfish products are handled in a sanitary and hygienic manner. Goods processed by this Facility are freely sold in the State of Virginia for human consumption.*

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BY: \_\_\_\_\_ DATE \_\_\_\_\_  
DIVISION OF SHELLFISH SANITATION

*A copy of the statement of certification signed by the authorized agent must be sent to this office within 5 business days to the address above or by fax (757) 787-5865. Any statement of certification not used must be marked "Void - did not ship" and returned to this office.*

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF HEALTH**  
*Division of Shellfish Sanitation*  
23177 Accomac, Virginia 23301  
(757) 787-5864 FAX: (757) 787-5865

**Application for a Statement of Certification**  
**(To be filled out by the applicant)**

EXPORTED BY:	CONSIGNEE TO:	REQUESTED PICK UP DATE
CERTIFICATION #	FINAL DESTINATION:	COURIER:
SHIPPED VIA:	PORT OF EMBARKATION:	PORT OF DEBARKATION:

IDENTIFYING MARKS:

PRODUCT	CLASS, TYPE, STYLE	# OF CONTAINERS	WT.	LABELS/ BRANDS	MONTH OF HARVEST	HARVEST LOCATION
TOTAL						

**Application for Statement of Certification**  
*Instructions*

Statements of certification are only available for Asian countries. The US Food and Drug Administration provides statements of certification for European countries. All applications for statements of certification must be received a minimum of two (2) business days in advance of the requested pickup date. Statements of certification will be issued for harvests up to one month in advance of the current date.

**No statements of certification will be issued to companies that are not certified by VDH to ship shellfish**

*The following information provides step-by-step instructions for completing this application.*

EXPORTED BY: Insert the name of the VDH certified company that is exporting the shellfish.

CERTIFICATION NUMBER: Insert the applicant's VDH certification number.

CONSIGNED TO: Insert the name and address of the foreign company that has purchased the product.

FINAL DESTINATION: Insert the name of the final destination of the product.

REQUESTED PICK UP DATE: Insert the date you will pick up the statement of certification.

COURIER: Insert the name of the person/company that will pick up the statement of certification.

SHIPPED VIA: Insert the type of transportation for the product, *i.e.*, refrigerated truck, air, etc.

PORT OF EMBARKATION: Insert the name of the port from which the product will be shipped.

PORT OF DEBARKATION: Insert the name of the port to which the product is being shipped.

OPTIONAL: Means that the foreign country may require certain information that VDH does not require

IDENTIFYING MARKS: (Optional) Insert any identifying marks placed on the shipping containers.

PRODUCT: Identify the specific molluscan shellfish species that is being shipped.

CLASS, TYPE, STYLE: (Optional) For identification of product type.

# OF CONTAINERS: (Optional) Identify the number of containers that are being shipped.

LOT WEIGHT: (Optional) Identify the total weight of each lot (or container) that is being shipped.

LABELS/BRAND: Identify what label will be on containers (must be an approved label for the certified shipper).

DATE OF HARVEST: Insert the date of harvest for all products.

HARVEST LOCATION: Identify the location where the products were harvested.

TOTAL COUNT: (Optional) Identify the total number of containers that are being shipped.

TOTAL WEIGHT: (Optional) Identify the total weight of the products being shipped.

**Procedure II: Certificate of Free Trade***Application for Certificate of Free Trade*

This procedure is considerably simpler than Procedure I, though it may not prove to be as well accepted in other countries as the statement of certification. Since companies have only begun to ask for this certificate, we do not know whether the receiving countries will accept this certificate of free trade in lieu of a statement of certification or not. In this case, the central office will issue the certificate. The Central Office will issue one certificate for each point of shipment, and the company simply makes black and white photocopies and includes a copy with each shipment.

**Information needed from a Virginia company to issue a certificate of free trade:**

Company Name and mailing address: \_\_\_\_\_

\_\_\_\_\_

Location(s) from where product would be shipped out of the country: \_\_\_\_\_

\_\_\_\_\_

Countries where product might be shipped: \_\_\_\_\_

\_\_\_\_\_

Forward this information to the Director, Division of Shellfish Sanitation, 109 Governor Street, Suite 614, Richmond, VA 23219 or email it to [bob.croonenberghs@vdh.virginia.gov](mailto:bob.croonenberghs@vdh.virginia.gov)